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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,062	12/31/2001	William R. Matz	01376	9118

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AT&T Legal Department - SZ
Attn: Patent Docketing
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EXAMINER	
STRANGE, AARON N	

ART UNIT	PAPER NUMBER
2448	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/039,062	MATZ ET AL.	
	Examiner	Art Unit	
	AARON STRANGE	2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 January 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *45-49,51-53,55-60,62,63,65 and 66* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *45-49,51-53,55-60,62,63,65 and 66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to all pending claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 45-49, 51-53, 55-60, 62, 63, 65 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer et al. (US 6,327,574) in view of Hornstein (US 7,228,283).

4. With regard to claim 45, Kramer discloses a method of targeting content, comprising:

receiving multiple data streams at a client device with each data stream of the multiple data streams comprising a content item (commercials and/or announcements) and a content tag (selection criteria)(col. 9, ll. 48-51) (also a webpage embodiment at

col. 7, l. 55 to col. 8, l. 40) (illuminations include content and a query allowing the content to be matched with various attributes)(col. 21, ll. 34-36);

storing the multiple data streams in memory of the client device (the illuminations are collected and sorted by the client device)(col. 21, ll. 34-61)

detecting an insertion event (selection engine chooses content when a content tag is detected)(col. 8, ll. 24-40; col. 13, ll. 5-19);

retrieving multiple identifiers of the content tag from the memory and retrieving the multiple identifiers of a responding profile tag from a user profile (attribute vector and target vector are compared to sort content)(col. 21,ll. 36-61; col. 23, l. 66 to col. 24, l. 4);

comparing a score [for the content] to a threshold value when all of the multiple identifiers of the profile tag have been compared to all the multiple identifiers of the corresponding profile tag (match score is compared to a threshold associated with each illumination)(col. 23, ll. 15-22);

when the score satisfies the threshold score, then determining that the content item is appropriate for presentation (if the match score exceeds the threshold, the content is selected and placed into the sorted illumination list)(col. 23, ll. 15-22).

Kramer fails to specifically disclose that the score is calculated by setting an initial value of a score to zero, successively comparing each identifier of the content tag to each corresponding identifier of the corresponding profile tag, and incrementing the score when an identifier in the content tag matches a corresponding identifier in the corresponding profile tag.

Hornstain discloses a similar system for scoring and selecting products based upon user preference information (Abstract). Hornstein teaches scoring content by setting an initial value of a score to zero (perfect matches result in a score of 0)(col. 8, ll. 28-32), successively comparing each identifier of the content tag to each corresponding identifier of the corresponding profile tag (each tag in the profile tag is compared to its corresponding tag in the content tag)(col. 8, ll. 22-28), and incrementing the score when an identifier in the content tag matches a corresponding identifier in the corresponding profile tag (score is incremented based on the similarity between the fields)(col. 8, ll. 28-32). This would have been an advantageous addition to the system disclosed by Kramer since it would have allowed products and users to be matched based on various categories, and permitted weighting of certain categories to accurately reflect the strength of preferences of both users and content providers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a scoring method such as the one taught by Hornstein to permit category-specific matching of content and users to provide users with content tailored to their specific interests.

5. With regard to claim 46, Kramer further discloses defining the user profile based on usage (Col 3, lines 10-14).

6. With regard to claim 47, Kramer further discloses defining the user profile based on manual input (Col 10, lines 32-33 and Col 14, lines 36-42); (information manually entered on forms).

7. With regard to claim 48, Kramer further discloses detecting a pattern in user selections and updating the user profile with the pattern (user profile is continuously updated based on user selections)(col. 32, l. 32 to col. 33, l. 47).

8. With regard to claim 49, Kramer and Hornstein further disclose calculating a weighted average of the identifier in the content tag and the corresponding identifier in the corresponding profile tag (Kramer and Hornstein both disclose applying weighting factors to the tag comparisons)(Kramer; col. 11, ll. 17-21)(Hornstein; col. 8, ll. 33-41).

9. With regard to claim 51, Kramer further discloses filtering out unselected data streams (unselected streams are not displayed)(col. 9, ll. 51-53).

10. With regard to claim 52, Kramer further discloses determining that the content item is inappropriate for presentation with the score is less than the threshold score (if the match score exceeds the threshold, the content is selected and placed into the sorted illumination list, otherwise it is omitted)(col. 23, ll. 15-22).

11. With regard to claim 53, Kramer further discloses that receiving the multiple data streams comprises receiving a classification associated with the at least one tag (information about merchants and products includes classification information)(col. 10, ll. 33-34).

12. With regard to claim 55, Kramer further discloses causing presentation of the content item (selected content is displayed)(col. 8, ll. 34-37; col. 9, ll. 51-53).

13. Claims 56-60, 62, 63, 65 and 66 are rejected under the same rationale as claims 45-49, 51, 53 and 55, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are explicitly or inherently taught by the above cited art.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Strange/
Primary Examiner, Art Unit 2448